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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

INDEX NEWSPAPERS LLC, a Washington limited-liability company, dba **PORTLAND MERCURY**; **DOUG BROWN**; **BRIAN CONLEY**; **SAM GEHRKE**; **MATHIEU LEWIS-ROLLAND**; **KAT MAHONEY**; **SERGIO OLMOS**; **JOHN RUDOFF**; **ALEX MILAN TRACY**; **TUCK WOODSTOCK**; **JUSTIN YAU**; and those similarly situated,

Plaintiffs,

v.

CITY OF PORTLAND, a municipal corporation; **JOHN DOES 1-60**, officers of Portland Police Bureau and other agencies working in concert; **U.S. DEPARTMENT OF HOMELAND SECURITY**; and **U.S. MARSHALS SERVICE**,

Defendants.

Case No. 3:20-cv-1035-SI

DECLARATION OF JOHN RUDOFF IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION AGAINST DEFENDANTS U.S. DEPARTMENT OF HOMELAND SECURITY AND U.S. MARSHALS SERVICE

I, John Rudoff, declare:

1. I am an Oregon resident who lives in the City of Portland. I am a photojournalist. My work has been published nationally and internationally, including my extensive reporting from many areas of urban civil conflict. Since this lawsuit began, I have been published in *Rolling Stone*, *The Nation*, and on the front page of the July 18, 2020 national edition of the *New York Times*. I have attended the protests in Portland over the last two months for the purpose of documenting and reporting on them. If called as a witness, I could, and would, testify competently to the facts below.

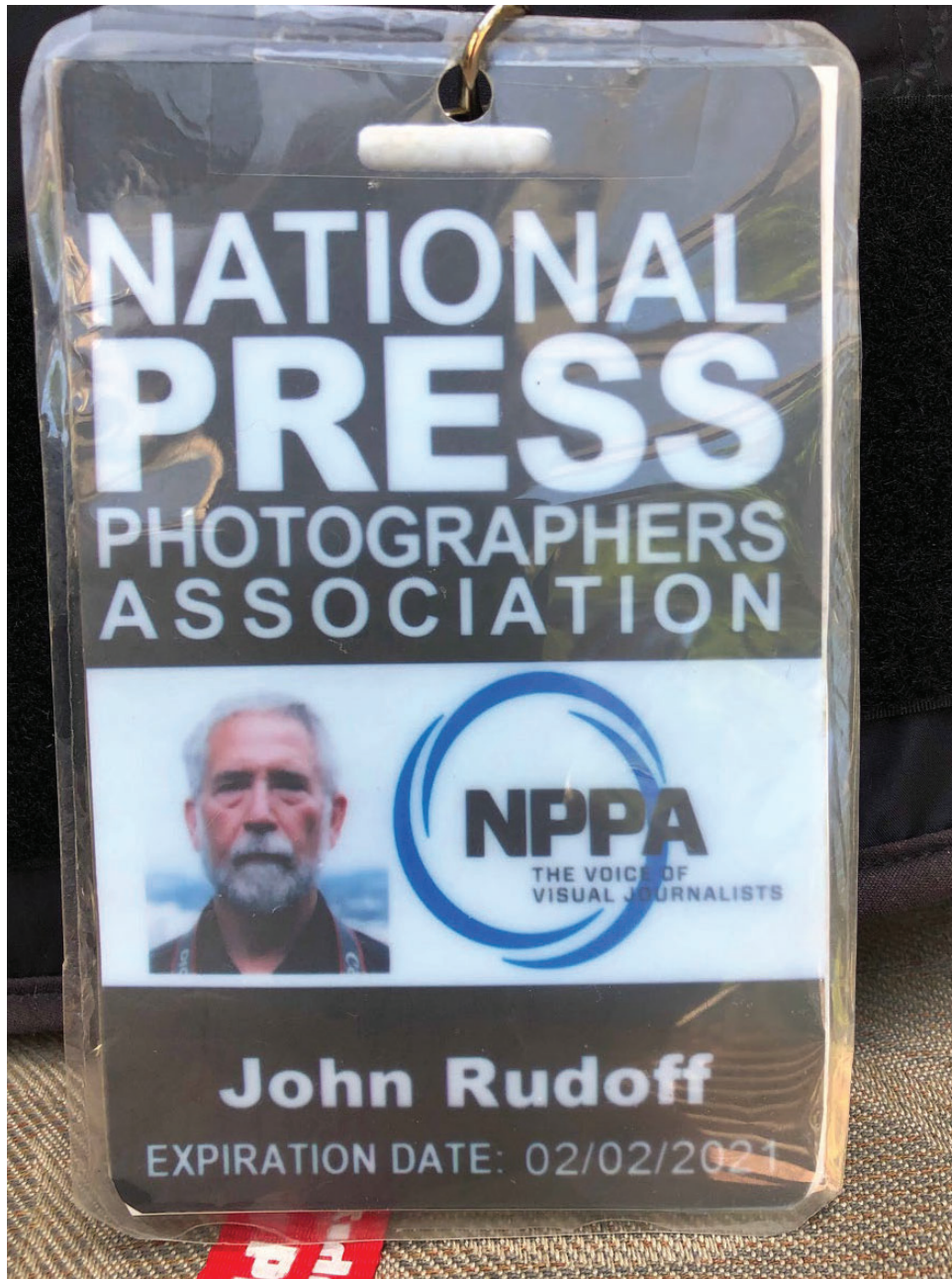
2. I am a plaintiff in this case and helped secure a temporary restraining order from the Court protecting journalists and legal observers from being targeted by the Portland Police Bureau and other police agencies working with PPB. Before the restraining order, I had stopped attending protests out of fear that the police might injure me. I began attending protests again after the Court issued its restraining order because I believed that the Court's order would protect me.

3. On the night of July 19, I was reporting on the protests in downtown Portland in front of the Hatfield Courthouse. I was using two large professional cameras: one Canon 5D Mark IV with a 24-70mm lens, and another Canon 5D Mark IV with a bright white 70-200mm lens. I was wearing a 4x6" laminated press credential issued by the National Press Photographers' Association, the largest and oldest body of professional photojournalists in the United States. I was also wearing a vest that said "PRESS" in big block letters and a helmet that also said "PRESS" in big block letters.

4. The following is a true and correct copy of a photograph of the helmet and vest I was wearing on the night of July 19:



5. The following is a true and correct copy of a photograph of my press credential, which I was also wearing on the night of July 19:



6. Around 11:50 p.m., I was documenting federal agents as they were exiting the courthouse shooting tear gas and other munitions. I was standing in an open, well-lit area, and to my memory there were very few people in my immediate vicinity. I was not near an arrest or a skirmish line.

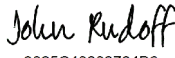
7. Suddenly, and for no reason, a federal agent shot me in my right shoulder, inches from my head. Based on the contusion, I believe it was a 40mm rubber bullet. The pain was so bad that I had to retreat into the park and stop documenting for around 15 minutes while I recovered. As of this writing, the bruise is black and blue and tender to the touch.

8. I am also aware that federal agents have targeted and severely injured many other journalists and legal observers since they began operations in Portland, including my co-plaintiff Mathieu Lewis-Rolland.

9. I would like to continue attending and documenting the protests, especially now that they have taken on national significance, because I believe it is vitally important that the actions of federal agents, police, and protesters be documented. I am fearful, however, that federal agents will injure me even more severely than they did on the night of July 19.

I declare under penalty of perjury under the laws of United States of America that the foregoing is true and correct.

Dated: July 20, 2020

DocuSigned by:

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John Rudoff